

REMARKS

This amendment is responsive to the office action dated September 21, 2004. A petition for a one month extension of time is submitted herewith.

Claims 1, 10, 11 and 12 have been amended to more clearly recite the present invention. Support for the amendments may be found in the original claim language. The amendments were made to correct clerical errors and informalities noted by the Examiner and do not limit or change the scope of the claims.

Examiner has rejected claims 1-12 and 15-17 as obvious in view of US 2004/0019794 (Moradi) in view of US 5,845,255 (Mayaud). Moradi discloses a method and system for delivering prescription medicine. Moradi discloses that patient and prescription information is input into the system and routes the information to a pharmacy selected by the patient or selected by the system based upon the patient's address. Page 4, paragraph 40. The selected pharmacy fulfills the prescription. Mayaud discloses a computerized prescription management system primarily designed to allow doctors and patients to track multiple prescription and condition information. Like Moradi, prescription information may be sent to a pharmacy for fulfillment. Column 27, lines 35-39.

Unlike Moradi and Mayaud the present invention is an on line ordering system "managed by or on behalf of a prescribed product manufacturer" which issues "at least one product to the consumer in accordance with the calculated approved prescription". Thus, claim 1 recites at least two features which are neither disclosed nor suggested by Moradi and Mayaud, the ordering system is managed by or on behalf of the manufacturer of a prescribed product, which allows the product to be shipped to the consumer directly from the manufacturer (instead of through an authorized reseller). This allows products that may not be stocked in an authorized reseller's store, such as ophthalmic products such as contact lenses, to be shipped directly to the consumer from the manufacturer of the ophthalmic product. Thus the method of claim 1 allows authorized resellers to decrease their inventory and administrative costs and improves the convenience to patients and consumers by permitting patients and consumers to get their products without returning to the authorized reseller. This is simply not suggested in either Moradi or Mayaud. Moradi and Mayaud also do not disclose the method of calculating the approved prescription.

Claims 2 through 12, 15 and 16 depend from claim 1 and are patentable over the combination of Moradi and Mayaud for the reasons articulated with respect to claim 1.

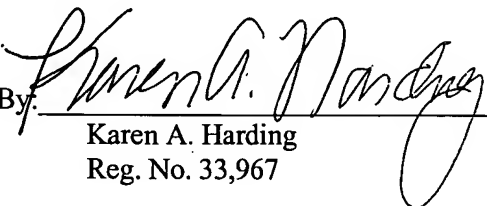
Claim 17 recites a system for ordering at least on prescription product comprising an authorized reseller system, a consumer system and a prescription management system which “are communicatively linked so that the consumer may order prescribed products *directly from a manufacturer of prescribed product* so long as the amount of prescribed products ordered does not exceed the maximum purchase amount or the actual wear schedule.” [emphasis added]

Moradi and Mayaud do not disclose that a system for order prescribed products could or should be linked to allow a prescribed product to be shipped from the manufacturer directly to the consumer. Moradi and Mayaud also do not disclose the prescription management system which calculates an maximum prescription amount. Accordingly, claim 17 is patent over Moradi and Mayaud.

Examiner has further rejected claims 13 and 14 as unpatentable over Moradi in view of Mayaud. Claims 13 and 14 depend from claim 1, and are patentable over the art of record for the reasons stated above.

Accordingly, none of the references recite the elements which are recited in the present claims. Applicants submit that the foregoing arguments and amendments have traversed the rejections. Allowance of the claims is respectfully requested.

Respectfully submitted,

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Dated: January 21, 2005